

## Comments, Concerns, Complaints & Compliments

### POLICY & PROCEDURES

#### Standard references/terms used in this document.

HR Department/HR Manager: Support Services Manager  
 Line Manager: Your immediate supervisor.

Version	Date	Details of Amendments	Amended by;
1	12/2006		Deborah Fowler
2	12/2012	Major Review	Andy Murphy
3	04/12/2014	Major Review and Update	Andy Murphy
4	12/12/2018	Minor updates to wording	Andy Murphy
5	23/12/2019	Minor Updates	Andy Murphy
6	21/10/2021	Minor Updates to wording and roles	M O'Dwyer
7	23/4/23	Full review – changes to responsible staff posts, amendment of process, removal of Enquiry Desk information, updated process	Sally Miller

Date of Last Review	Signed	Position	Next Review due:
12/2012	Andy Murphy	CEO	Dec 2013
04 December 2013	Andy Murphy	CEO	04 Dec 2014
04 December 2014	Andy Murphy	CEO	04 Dec 2015
04 December 2015	Andy Murphy	CEO	05 Dec 2016
05 December 2016	Andy Murphy	CEO	05 Dec 2017
05 December 2017	Andy Murphy	CEO	05 Dec 2018
12 December 2018	Andy Murphy	CEO	12 Dec 2019
23 December 2020	Andy Murphy	CEO	12 Dec 2020
April 2021	Sally Miller	CEO	April 2023
April 2023	Sally Miller	CEO	April 2025

## 1. General principles

### 1.1 Background

This policy details the protocol for dealing with comments, concerns, complaints and compliments received about any aspect of the services or activities provided by Age UK Islington.

The important principle behind complaints reform is that all organisations work together, conducting joint investigations. This is to ensure co-ordinated handling and to provide the complainant with a single response that represents each organisations final response.

In the client-centred environment of Age UK Islington, clients/relatives/carers are encouraged to express comments, concerns, complaints and compliments about the treatment and services that they receive in the knowledge that:

- They will be taken seriously.
- They will receive a speedy and effective response.
- Things will be put right, and appropriate remedy used.
- Their views will inform learning and improvements in service delivery.
- There is a system for taking action to address the full range of problems, which occur from minor difficulties to major failures in treatment and care.
- There will be no adverse effects on their care or that of their families.

NB: It is a disciplinary offence for any member of staff to retaliate against a complainant or their family because they have made a complaint.

### 1.2 Definitions

It is vital that the Organisation takes account of the views of its clients/relatives/carers, listening to and learning from the '4 C's': comments, concerns, complaints and compliments to:

- Tell us what is working.
- Help identify potential service problems.
- Help identify risks and prevent them from getting worse.
- Highlight opportunities for staff improvement.
- Provide the information we need to review our services and procedures effectively.

A complaint is an expression of dissatisfaction about a service offered by the Organisation. It may be made by a client or a person on behalf of a client or visitor and a formal investigation is undertaken. A concern is usually where the client or a person on behalf of the client is requesting further information about the client's treatment or care. Comments are usually requests for further information such as appointment times.

A compliment may be expressed by a person who is happy with any part of a service they receive. All compliments received by the Chief Executive's office or Services Departments are acknowledged and

shared with the staff/department named and recorded on SharePoint. Many more compliments are received directly by wards/departments.

### **1.3 Policy Aim and Scope**

At Age UK Islington the management of client/public dissatisfaction is an important part of the governance framework by ensuring that information about complaints and their causes are an integral part of the system that ensures safe, high-quality care and which is constantly improving.

Age UK Islington's vision for a successful complaints procedure is one that meets the need of our clients/relatives/carers, staff and the organisation and follows the six principles of good complaint handling as set out by the Parliamentary Ombudsman:

- Getting it right
- Being customer focused
- Being open and accountable
- Acting fairly and proportionately
- Putting things right
- Seeing continuous improvement

### **1.4 Staff groups affected**

Every member of staff employed by Age UK Islington has a responsibility to implement this policy.

### **1.5 Exceptions**

There are no exceptions to Age UK Islington's commitment to learning from comments, concerns, complaints and compliments, it is therefore expected that all staff will comply with this policy by dealing with comments, concerns, complaints and compliments in line with this policy. Investigations must be carried out in an open and fair culture to ensure honesty when reporting back to complainants.

## 2. Management

Age UK Islington has a responsibility to establish a complaint procedure in line with the statutory requirements and take steps to publicise the arrangements. The arrangements must be accessible and ensure that complaints are dealt with speedily and efficiently and that complainants are treated courteously and sympathetically.

### 2.1 Time limit for making a complaint

The timescale in which a complaint can be made is 12 months from the date on which the matter occurred, or the matter came to the notice of the complainant. Age UK Islington will have the discretion to investigate beyond this time, especially if there are good reasons for a complaint not having been received within the 12 months and it is still possible to investigate the case effectively. This decision will be taken locally and where it is decided not to investigate, the complainant will have the opportunity to approach the Parliamentary Ombudsman.

### 2.2 What people can complain about

People will be able to use this policy and procedure about any matter reasonably connected with the exercise of Age UK Islington's services for clients.

### 2.3 What people cannot complain about

- A complaint made about the functions of Age UK Islington.
- Staff working within, or contracted to, Age UK Islington cannot use the arrangements to complain about employment, contractual or pension issues.
- Complaints that have already been investigated under the complaints regulations.
- Complaints arising out of the alleged failure to comply with a data subject request under the Data Protection Act 1998.
- Complaints arising out of an alleged failure to comply with a request for information under the Freedom of Information Act 2000.

## 3. Staff

### 3.1 All Staff

All managers have a responsibility within the complaints handling procedure. It is part of the role of the manager to ensure that staff and volunteers are fully assisted and feel fully supported throughout the handling of any complaint.

Staff and volunteers should ensure that complainants, having made a complaint, are assured that it will not prejudice the client's future treatment and care. Age UK Islington's policy and procedure for handling complaints is considered as part of the ward/department induction.

Front line staff will distinguish those serious issues that, even if raised verbally need to be brought to the attention of senior managers within Age UK Islington.

### 3.2 Board

The CEO will include a complaints log and update on current complaints as a standard part of their report to the Board.

### **3.3 Healthwatch**

Healthwatch's sole purpose is to understand the needs, experiences and concerns of people who use health and social care services and to speak out on their behalf. People who want to make a complaint about a particular service can contact Healthwatch Islington to find out how to get help with making their complaint.

## **4. Staff Information**

### **4.1 Statutory Duty of Candour**

Age UK Islington has to identify that an incident causing moderate or major harm has happened and tell the client about it swiftly and honestly. Age UK Islington will also have a duty to support the client by allowing a member of the family, carer or a healthcare professional that the client has confidence in to be present when they tell the client what has happened. Ongoing support and treatment to reduce the harm must be provided. This might be from a different service team or organisation if the client wishes.

#### **Records**

Complaint correspondence will be kept separate from service records, subject to the need to record any information, which is strictly relevant to their clinical management in the client's health record. No complaint correspondence is to be filed in the client's health record. This instruction covers the initial letter of complaint and the final letter of reply, as well as internal correspondence. The master files of all statements and correspondence of meetings are held by the Heads of Services.

The minimum recommended period for retaining a complaint file is presently eight years from the date on which action was completed. For complaints about children and young people the file must be kept until the client's 25th birthday.

### **4.2 Statements**

With an increasing number of complex queries and complaints, it is becoming more common for staff to be asked to provide statements because of a complaint/claim/untoward incident. When writing a statement, it is important to remember that, although most statements will go no further, a statement may be copied to the complainant, the coroner or used as evidence in defending a legal claim. All requests for statements must be forwarded to the Heads of Services.

### **4.3 Advocacy Services**

If someone wants to raise concerns or make a complaint it is important to let them know what support is available. There are a number of advocacy services available depending on where the client lives. These services are free, independent and confidential and will listen to a person's concerns. Advocates can help people write effective letters to the right people; prepare them for and go to meetings with them; contact and speak to third parties if they wish them to and help people think about whether they are happy with the responses they receive from Age UK Islington.

### **4.4 Persistent and Unreasonable Complainants**

Persistent and unreasonable complainants are those that raise the same or similar issues repeatedly, despite having received a full response to all the issues they have raised. If following a review of the complaint the complainant is persistent or unreasonable in their manner of engaging with Age UK Islington, it may be appropriate to apply a degree of restriction on their frequency and mode of contact. This would include complainants that:

- Refuse to accept the remit of the process to be undertaken as described to them.
- Request actions that are not compatible with the process or place unreasonable demands on staff.
- Change the basis of the concern or complaint or introduce trivial or irrelevant information and expect these to be considered when they have already agreed to a plan and specific issues to be responded to.
- Make excessive telephone calls or send excessive numbers of e-mails or letters to staff.
- Submit concerns or complaints about the same issues as have previously been appropriately and fully considered and responded to.
- Fail to engage with staff in a manner which is deemed appropriate: e.g. repeatedly using unacceptable language; refusing to adhere to previously agreed communication plans or behaving in an otherwise threatening or abusive manner on more than one occasion, having been warned about this.
- Repeatedly focus on conspiracy theories and/or will not accept documented evidence as being factual.

The Heads of Services in agreement with the Chief Executive will determine the point at which a complainant will be considered to be persistent and unreasonable. Below are some possible courses of action that may help to manage complainants who have been designated as persistent and/or unreasonable.

- Placing time limits on telephone conversations and personal contacts.
- Restricting the number of calls that will be taken or made.
- Requiring contact to be made with a named member of staff.
- Requiring contact to be made through a third person, such as an advocate.
- Limiting the complainant to one mode of contact e.g. in writing only.
- Requiring any personal contact to take place in the presence of a witness.
- Refusing to register and process further concerns or complaints about the same matter.
- Informing the complainant that future correspondence will be read and placed on file, but not acknowledged.
- Advising that the organisation does not deal with correspondence that is abusive or contains allegations that lack substantive evidence. Request that the complainant provide an acceptable version of the correspondence or make contact through a third person to continue communication with the organisation.
- Asking the complainant to enter into an agreement about their conduct.
- Advise that irrelevant documentation will be returned in the first instance and (in extreme cases) in future may be destroyed.

Once a restriction is put in place, a letter should be issued by the Chief Executive to inform the complainant about the decision; what it means for their future contact with Age UK Islington; how long those restrictions will remain in place; and what they can do to have their position reviewed.

#### **4.5 Other agencies**

If Age UK Islington receives a written complaint that involves another agency, for example, the Police, Age UK Islington will work jointly with an agreed point of contact, to ensure all matters are fully investigated.

## **5. Process for monitoring compliance, effectiveness and risk management**

### **5.1 Monitoring**

The Heads of Service will be responsible for the monitoring of individual complaints against agreed timescale and responsibilities, in liaison with the Team Leaders.

The Heads of Services will produce quarterly summarised reports of complaints received to the Board that will include qualitative and quantitative analysis of key issues found in complaints. The report will include action taken to improve services because of complaints. These reports will also be shared with the Commissioners, together with any action to be taken by Age UK Islington as a result.

Complaints provide a unique insight into the complainant's experience of our services and often highlight where service improvements can be made. It is very important to us that complainants not only feel able to raise their concerns but are happy with the actions that we take as a result.

Complaint data both in terms of specific issues/actions and more general trends arising out of complaints should be used in improvement work.

### **5.2 Training**

Customer Care and Complaints

All staff should know how to react and what to do if someone makes a complaint. Age UK Islington provides staff training in customer care and difficult conversations.

### **5.3 Publicity**

Leaflets informing clients and visitors of Age UK Islington's Complaints Procedure will be displayed throughout Age UK Islington. The Complaints process is also publicised on Age UK Islington's website.

### **5.4 Translating and Interpreting**

Age UK Islington recognises that on occasions complainants may experience difficulties in pursuing their complaint due to language or communication barriers. Staff will ensure that appropriate support is made available to complainants.

### **5.5 Special Needs**

Staff will ensure that wherever possible the individual needs of complainants are identified and met. This will include meeting the needs of people with learning disabilities, physical disabilities or communication problems such as hearing or visual impairment.

## 6. Data protection

To process a complaint Age UK Islington will hold personal data about the complainant, which the individual provides, and which other people give in response to the complaint. We will hold this data securely and only use it to address the complaint. The identity of the person making the complaint will only be known to those who need to consider the complaint and will not be revealed to other people or made public. However, it may not be possible to preserve confidentiality in some circumstances, for example, where relevant legislation applied, or allegations are made which involve the conduct of third parties.

## 7. Procedure and timescales

### Complaints Procedure

#### 7.1 Stages

There are three stages to the complaint's procedure:

- Stage 1 – the complaint
- Stage 2 – investigation
- Stage 3 – appeal

#### 7.2 Stage 1 (Informal Stage)

The response to the complaint may take the form of a face-to-face discussion, a telephone call or a letter. Complaints at this stage may be dealt with by Team Leader or Head of Services, as long as the staff member is sufficiently informed about the area of work or issue under discussion. Where complaints are resolved through discussion, either in person or over the phone, this should normally be followed up by a letter.

Staff should ensure that the complainant is made aware of their rights and options under the complaints procedure.

NB: Complainants have the right to bypass Stage 1 and go straight to Stage 2 if they wish.

Complainants must receive an acknowledgement within 3 working days of receipt of a signed complaint. Stage 1 should normally be completed within 10 working days.

#### 7.3 Stage 2 (Formal Stage)

The complainant and/or their advocate should raise the complaint with the Chief Executive of Age UK Islington. S/he will carry out an investigation of the complaint or appoint a Head of Services to do so. The results of this investigation should be recorded in writing.

The Chief Executive will write to the complainant with his/her response to the complaint. This may include a recommendation that an independent person should be sought to conciliate on the matter. If the complainant wishes to take up the option of conciliation, the Chief Executive should seek a suitable independent conciliator.

Once stage 2 has been completed (including conciliation, if appropriate), the Chief Executive should write to the complainant informing them that if they are still dissatisfied, they should write within 28 days to ask for a Review Panel to be set up.

Stage 2 should normally be completed within 28 days. This may be extended to up to 3 months where there is good reason to do so.

#### 7.4 Stage 3 (Appeal/Review Panel)

If a Review Panel is required, it will consist of either two or three people:

a member of Age UK Islington's Board of Trustees, who will normally be the Chair of the Panel

a member of Age UK Islington's Senior Management Team who has not been involved at any previous stage of the complaint.

an independent person, if appropriate.



The complainant and his/her advocate, friend or supporter (if any) have the right to attend the Panel meeting to present the complaint and answer any questions the Panel may wish to ask. NB: since this Complaints Procedure is not a legal process, Age UK Islington regards it as inappropriate for the complainant to be accompanied by a legal representative and will not agree to any such participation.

The Chair of the Review Panel will notify the complainant in writing of the Panel's decision within 14 days of the Panel meeting. The letter will also advise the complainant that the Panel's decision is the final stage of Age UK Islington's Complaints Procedure, but that if s/he is still dissatisfied s/he may refer the matter to London Borough of Islington or the Islington Care Board, in the case of Islington-funded services.

Where members of staff are asked to attend a Complaint Review Panel, they should be advised that they may be accompanied by a friend, colleague or trade union representative if they wish.



If the Review Panel is unable to agree on a particular matter, the issue shall be decided by the Chair of the Panel.

If after Age UK Islington has been through the three stages and the complainant is still not satisfied with the result, they should be advised that there is no further right of appeal with Age UK Islington, but they could approach any of the following agencies for advice:

- A solicitor
- Citizens Advice
- Healthwatch Islington.

This should be done within one month of receiving the outcome from the appeal.

## 8. Appendices

Ref	Description	Attachment/Link
A	Complaint Record Form	 Complaint Record Form.docx
B	Complaint Investigation Log	 Complaint Investigation Log de